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FOR EUR/SE, EUR/PGI, G/TIP, INL/HSTC, G, DRL, PRM, IWI

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SUBJECT: GREECE TIP REPORT SUBMISSION 2008 - PART 4

REF: State 2731

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Sensitive but Unclassified -- Protect Accordingly.

¶2. (SBU) Below are Embassy Athens' responses to the 2008 TIP report questionnaire. Text is keyed to Ref A request for "Protection and Assistance to Victims" Section. This is the fourth of four cables.

¶3. PROTECTION AND ASSISTANCE TO VICTIMS:

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-- A. Does the government assist foreign trafficking victims, for example, by providing temporary to permanent residency status, or other relief from deportation? If so, please explain.

The government has a comprehensive scheme of providing protection and assistance to foreign and non-foreign victims alike, including the provision of temporary to permanent residency status, and/or other relief from deportation. When a victim is identified as such, the victim is offered the opportunity to utilize a thirty-day reflection period to consider next steps. During that time, the victim can be sheltered at no expense to the victim. At the conclusion of the waiting period, if the victim cooperates, he or she is entitled to receive permanent residency status and access to training and assimilation-related programs.

-- B. Does the country have victim care facilities which are accessible to trafficking victims? Do foreign victims have the same access to care as domestic trafficking victims? Does the country have specialized facilities dedicated to helping victims of trafficking? If so, can you provide the number of victims placed in these care facilities during the reporting period? What is the funding source of these facilities? Please estimate the amount the government spent (in U.S. dollar equivalent) on these specialized facilities dedicated to helping trafficking victims during the reporting period. Does the government provide trafficking victims with access to legal, medical and psychological services? If so, please specify the kind of assistance provided, and the number of victims assisted, if available.

Greece's 2002 anti-trafficking law and 2003 Presidential Decree call for comprehensive health services for victims, shelter, protection, and temporary relief from deportation at the prosecutor's request. The 2005 Immigration Law provides for centrally issued residence permits with no fee and a one-month reflection period for victims. The GoG reported that of the 100 victims identified in 2007, 35 accepted support and protection by the state. 29 were provided shelter and other victim care from state and/or NGO shelters, 15 were assisted in cooperation with IOM, and 17 received full victim's status by recognition of the TIP Prosecutor. Other victims contacted their embassies independent of GoG assistance and so are not included in these statistics. During 2007 the government granted or renewed 63 residence permits for TIP victims. The government improved the residence permits issuance procedure for recognized victims. As a consequence permits to victims recognized by a Prosecutor's order are issued routinely.

Through the MFA, information from all NGO-run shelters was provided for all victims hosted in 2007, including details of nationality, and dates of protection and services provided to victims over the past two years.

According to information from the MPO, the majority of the identified 100 victims had legal documentation permitting them to reside in Greece, and did not request protection from the state. As in 2006, the police reported that the majority of victims departed for their native countries without government repatriation assistance and a small number remain in Greece. During 2007, IOM repatriated 15 victims. Of the 15 repatriated victims, 5 were Bulgarians, 9 Romanian, 1 Russian.

-- C. Does the government provide funding or other forms of support to foreign or domestic NGOs and/or international organizations for services to trafficking victims? Please explain and provide any funding amounts in U.S. dollar equivalent. If assistance provided is in-kind, please specify exact assistance. Please explain if funding for assistance comes from a federal budget or from regional

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or local governments.

In 2007 the GoG authorized approximately 2,803,650.00 USD (1,869,100 euros), including shelters, legal assistance, conferences, trainings, and prevention in source countries. This is a slight increase from the 1.5 million euros spent in the previous year and comes from the government's central (federal) budget.

According to the MFA, this amount breaks down as follows: (please protect) 194,100.00 euros were spent on projects implemented by NGOs; 1,515,000.00 euros were sent directly to embassies or international organizations (such as IOM) that are implementing projects; and 160,000.00 euros were spent on projects implemented in cooperation with competent ministries (such as the ILAEIRA project).

In 2007, the GoG continued cooperating with USAID in Albania through the TACT program. The GoG is allocating approximately 600,000 USD between 2006 and 2009. The Secretariat for Gender Equality and Hellenic Aid also support NGOs that carry out prevention work in source countries.

The Greek Orthodox Church and its NGO Solidari against trafficking @shes throughout Greece it receive`. The shelter has goatriated.

In addition to the above programs, Hellenic Aid (YDAS) reported that in 2007 it approved funding to the following TIP projects to NGOs for the benefit of victims in source countries and to prevent TIP and provide support to victims in Greece. These programs are GoG anti-TIP initiatives and are not related to the "benchmarks." (Note: Please protect. Funding levels for specific NGOs and agencies are not published or publicly released. End Note.)

-- 36,000 euros to the Mediterranean Women Study Center to continue a project in Albania for victims of trafficking;

- 60,000 euros to Caritas of Athens to continue operating a day care center for refugees, immigrants and victims of trafficking;
- 110,000 euros to the Greek Council of Refugees to provide legal assistance to trafficking victims seeking asylum;
- 100,000 euros to the Center of Research and Action for Peace (KEDE) for a project for empowering socially excluded women so that they do not become victims of trafficking;
- 260,000 euros to Klimaka to provide support and assistance to TIP victims in their shelter;
- 116,000 euros to the Center for Defense of Human Rights (KEPAD) to extend the network of NGO cooperation in Southeastern Europe;
- 60,000 euros to the European Constitution Law Center to provide legal assistance to trafficking victims from central and eastern Europe;
- 74,000 euros to the International Police Association for prevention projects in Serbia;
- 120,000 euros to Center of Abuse and Maltreatment in Ioannina (north-central Greece) for the operation of a shelter in Ioannina and for integration assistance to victims;
- 75,000 euros to the European Women's Network for the operation of a TIP hotline;

Hellenic Aid also granted funds to UNICEF-Greece to produce a book on projects available to combat trafficking in children as part of UNICEF-Greece awareness campaign on child trafficking. Hellenic Aid also financed projects in Tirana, the Ukraine, and Africa aiming at

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raising awareness in source countries on trafficking. YDAS provided funds to IOM for voluntary repatriation of victims of trafficking. As with all Hellenic Aid projects on any issue, a percentage of the funding is provided up front, and the remainder is granted upon the receipt of acceptable interim and final project assessments.

-- D. Do the government's law enforcement, immigration, and social services personnel have a formal system of proactively identifying victims of trafficking among high- risk persons with whom they come in contact (e.g., foreign persons arrested for prostitution or immigration violations)? What is the number of victims identified during the reporting period? Has the government developed and implemented a referral process to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care? How many victims were referred for assistance by law enforcement authorities during the reporting period?

There are extensive and repeated trainings for police officers and others who come into contact with potential victims to identify them as such. This includes police, judges, prosecutors, doctors and labor inspectors. There is a screening process in place which effectively transfers persons identified by law enforcement authorities as victims of trafficking into protective state and/or NGO custody. The Memorandum of Cooperation now formally allows police to cooperate with NGOs, which has resulted in transferring victims from the police to NGO shelters. Some NGOs however, report that problem still remains, and that many victims slip through the official police screening procedure and get sent to detention centers for deportation. Other NGOs, including Medical Intervention, Klimaka, and Nea Zoi which have hands-on experience with detention centers and in street work, report that there are improvements in victim screening and victim protection procedures but still not enough victims are being identified. One NGO director commented that the shelters are all virtually empty. Police officers respond that victims are requesting repatriation more frequently than assistance.

In 2007, 100 victims were identified and 35 of these were referred

for assistance by the government. The remainder were repatriated.

With the entry into force on January 1, 2006 of the Immigration Law, which provides for the reflection period, police now have more flexibility to send victims to protective custody. Police report using the government hotline to coordinate with NGOs on victim care.

In practice, the referral process operates most effectively when law enforcement officials are the first contact point for the victim. When NGOs are the first contact point, NGOs report that victims are not always entered into the protection system, possibly because there are not necessarily criminal charges associated with the case or because the NGO cannot convince the victim to seek protected status from the prosecutor or even because there is insufficient evidence for the victim to prove that she or he is in fact a trafficking victim and a negative conclusion by the prosecutor could leave the individual facing deportation charges with none of the protections afforded to recognized victims.

-- E. For countries with legalized prostitution: does the government have a mechanism for screening for trafficking victims among persons involved in the legal/regulated commercial sex trade?

-- There is a specialized unit of the Hellenic Police (the Prostitution and Gambling Division) that oversees all brothels. These officers are trained to identify TIP victims.

-- F. Are the rights of victims respected? Are trafficking victims detained or jailed? If detained or jailed, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

In the past, victims who were arrested for immigration violations or prostitution were sometimes tried alongside their traffickers. There were no reports of such practices in 2007. Victims who had to stand trial, had support and legal counseling from NGOs, police protection, and prosecutors granted reprieve of crimes committed by victims during their victimization (mostly illegal prostitution

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and/or visas violations). The GoG reports that the Council of Europe Convention Against Trafficking in Human Beings which it signed on November 17, 2005 stipulates that victims not be tried for crimes committed during the course of their victimization, so once the Convention is ratified this "loophole," which is avoided in practice, will be closed.

-- G. Does the government encourage victims to assist in the investigation and prosecution of trafficking? How many victims assisted in the investigation and prosecution of traffickers during the reporting period? May victims file civil suits or seek legal action against traffickers? Does anyone impede victim access to such legal redress? If a victim is a material witness in a court case against a former employer, is the victim permitted to obtain other employment or to leave the country pending trial proceedings? Are there means by which a victim may obtain restitution?

The government's record on encouraging TIP victims to testify is still mixed. As in the U.S., the process of granting victim status and receiving a victim's work/residency permit is put into motion when victims agree to cooperate with authorities in the prosecution of their traffickers. Now that victims are being granted residency/work permits (MOI reports 63 permits in 2007) and with other victims already legally resident in Greece, more victims may remain in the country to testify when their traffickers come to trial. Thirty five victims assisted the government in the prosecution of their traffickers in 2007. There is strong NGO support for some victims during court cases, and all NGO representatives who have been present at trials state that without such support, many victims would be emotionally unable to testify. Prosecutors have told us informally that it would be illegal under Greek law to provide the proceeds of criminal enterprises to TIP victims.

Traffickers have been released pending trial in order for the courts to "track down" witnesses in their home countries.

-- H. What kind of protection is the government able to provide for

victims and witnesses? Does it provide these protections in practice? What type of shelter or services does the government provide? Are these services provided directly by the government or are they provided by NGOs or IOs funded by host government grants? Does the government provide shelter or housing benefits to victims or other resources to aid the victims in rebuilding their lives? Where are child victims placed (e.g., in shelters, foster care, or juvenile justice detention centers)? What is the number of victims assisted by government-funded assistance programs during the reporting period? What is the number of victims assisted by non government-funded assistance programs? What is the number of victims that received shelter services during the reporting period?

The law on Organized Crime (2928/2001) provides for witness protection, ately government funded. 35 victims received shelter assistance in 2007.

If a victim is a witness to a crime that is not organized crime, the MPO reports that the police will protect the victim with an order of the prosecutor. In practice, NGOs report that some identified and sheltered victims receive threats from their traffickers and need better protection. NGOs who run shelters did not complain of inadequate security or police protection provided to the shelter in 2007. NGOs, especially those who do street work, victim support and/or attend trials, report that they had received threats from traffickers, but they have not reported any actual incidence of violence against them.

Child victims are officially turned over to the prosecutor for children, but there are no specialized shelters for child TIP victims so they are typically sheltered in orphanages, in a separate section of an adult detention center or other state institutions. The bilateral agreement with Albania signed in February 2006 but not yet ratified by the Parliament details comprehensive child protections. MFA officials asserted in 2007 and 2008 that despite not yet being ratified, they are following the terms of the protocol in any instances of child repatriation. In at least two adult

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detention center where children were kept, NGOs found children held in cells, just as adults were.

-- I. Does the government provide any specialized training for government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of trafficked children? Does the government provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries? Does it urge those embassies and consulates to develop ongoing relationships with NGOs and IOs that serve trafficked victims? What is the number of trafficking victims assisted by the host country's embassies or consulates abroad during the reporting period? Please explain the level of assistance. For example, did the host government provide travel documents for the victim to repatriate, did the host government contact NGOs in either the source or destination countries to ensure the victim received adequate assistance, did the host government pay for the transportation home for a victim's repatriation, etc.

The GOG provides anti-TIP training for police at all levels, including retraining and career-long training of police personnel. Child anti-trafficking NGOs have presented information to police on the special needs of child trafficking victims independently and at the seminars noted above. The MPO has issued directives to all police stations reinforcing how to recognize, question, and assist victims of TIP. The MFA charges its embassies and consulates with some monitoring of source country NGOs that are partners with Hellenic Aid-funded NGOs and therefore funding from the GoG.

Repatriation is usually achieved through cooperation with IOM and the International Social Service (ISS). The GoG does provide all necessary assistance for the safe repatriation of victims. IOM and ISS have strong networks in each country to ensure that victims are safely and appropriately repatriated.

-- J. Does the government provide assistance, such as medical aid,

shelter, or financial help, to its repatriated nationals who are victims of trafficking?

Not applicable - Greece is not a source country for TIP victims.

-- K. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities? How much funding (in U.S. Dollar Equivalent) did NGOs and international organizations receive from the host government for victim assistance during the reporting period? Please disaggregate funding for prevention and public awareness efforts from victim assistance funding. NOTE: If post reports that a government is incapable of providing direct assistance to TIP victims, please assess whether the government ensures that TIP victims receive access to adequate care from other entities. Funding, personnel, and training constraints should be noted, if applicable. Conversely, the lack of political will in a situation where a country has adequate financial and other resources to address the problem should be noted as well.

--International Organization for Migration (IOM): coordination with the GoG on repatriation of victims; conducts seminars and trainings for authorities, NGOs, social workers, police prosecutors, and the diplomatic corps; creates public awareness programs; coordinates diplomatic/NGO/GoG "Working Group." IOM has excellent cooperation with local authorities and receives GoG funding. It signed the MOC with the Interministerial Council.

--European Network of Women (ENOW): multilingual victims' hotline, operation of a shelter including provision of food and clothing, psychosocial victim support, legal support and advocacy, family contact public awareness, lobbying. ENOW has good cooperation with local authorities and receives GoG funding. It signed the MOC with the Interministerial Council.

--Greek Council for Refugees (GCR): legal support and advocacy, family contact, seminars and trainings. GCR has good cooperation with local authorities, receives GoG funding, and signed the MOC with the Interministerial Council.

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--International Society for the Support of Families (DESO): operation of three shelters including provision of food and clothing, medical and psychological and psychiatric support, lobbying. DESO has some cooperation with local authorities, received GoG funding and in-kind donation of the shelter buildings. DESO signed the MOC with the Interministerial Council.

--Center for the Rehabilitation of Victims of Torture (CRTV): shelter, psychosocial and psychiatric support, legal support, lobbying. CRTV has good, ad hoc cooperation especially with local police authorities, receives victim referrals directly from police, and is authorized GoG funding.

--Nea Zoi/Association for the Support and Restoration of Individuals in Prostitution: street work, brothel visits, victim identification through street work and visits to detention centers, victim support, lobbying. Nea Zoi signed the MOC with the Interministerial Council in 2007. Nea Zoi attends "Working Group" meetings.

--Greek Helsinki Monitor (GHM): advocacy, publications, lobbying. Poor relationship with GoG, outspoken critic of GoG efforts on TIP and other human rights issues.

--Association for the Social Support of Youth (ARSIS): victim identification, coordination with Terre des Hommes in Albania under the MFA funded TACT project on child victims, public awareness, lobbying, based in Thessaloniki. ARSIS has good cooperation with authorities and has done outreach to provincial police. ARSIS receives GoG funding and implements TACT project in Albania. ARSIS signed the MOC with the Interministerial Council.

--Smile of the Child: shelters for primarily Greek children but also non-Greek child victims of trafficking, public awareness, lobbying.

Excellent cooperation with authorities, signed the MOC with the Interministerial Council.

--Center for Research and Support for Victims of Maltreatment and Social Exclusion (CVME or "EKYTHKA" in Greek): shelter, psychosocial and legal support to victims, lobbying. Good cooperation with authorities, receives GoG funding, signed the MOC with the Interministerial Council.

--Klimaka-Agency for the Development of Human and Social Capital: shelters, psychiatric and social support to victims, vocational training and activities in shelters, public awareness, lobbying. Excellent cooperation with authorities; receives victim referrals directly from police, receives GoG funding, signed the MOC with the Interministerial Council.

--Solidarity (NGO of the Greek Orthodox Church): shelter, excellent cooperation with authorities, signed the MOC with the Interministerial Council.

--ACT UP: STD and HIV screening, street work, victim identification, support, and referral, lobbying. Good cooperation with GoG despite criticism of GoG, receives GoG funding.

--Mediterranean Women's Studies Center (KEGME): seminars and training for police personnel in Albania. Receives GoG funding, and provides good cooperation with GoG.

--European Constitution Law Center: training of justices in Albania with MFA funds

--Human Rights Defense Center (KEPAD): coordination of Ariadne Regional Network, Greece/TIP working group at the UN. Excellent cooperation with GoG, receives GoG funding, signed MOC with Interministerial Council.

--The International Police Association (IPA): training seminars for Serbian police on TIP. Excellent cooperation with authorities, (IPA members are Hellenic National Police), receives GoG funding, signed MOC with Interministerial Council.

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--Agapi: Ten year old Thessaloniki-based social organization that conducted two conferences on trafficking in Thessaloniki in 2005 and 2006 and one in Athens in 2006.

--STOP NOW: Formerly focused on public awareness-raising. Members attend TIP-related meetings, such as the "Working Group." The NGO received funding in 2007 for empowering seminars in victim source countries. Signed MOC with Interministerial Council.

--Caritas Greece (NGO of the Catholic Church): Primarily works with refugees, feeding program, legal support. Caritas conducted a TIP public awareness poster campaign in 2006 but did not continue the awareness campaign in 2007.

See also answer to Question C supra.

#### TIP CONTACT

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SPECKHARD